

WASHINGTON, DC – Today, the U.S. Supreme Court struck down mandatory life without parole sentences for minors convicted of murder. In 2005, the Court held in *Roper v. Simmons* that it was "cruel and unusual punishment" prohibited under the 8th Amendment to the Constitution to sentence a minor to death, due to a minor's immaturity. In 2008 in *Graham v. Florida*, the Court held that it was also cruel and unusual to sentence a minor to life without the possibility of parole for a non-homicide case. In today's *Miller v. Alabama* case, the Court combined these holdings in *Roper* and *Graham* as the basis for concluding that mandating life without parole for juveniles, even in cases of homicide, is "cruel and unusual". Congressman Robert C. "Bobby" Scott, Ranking Member of the House Judiciary Subcommittee on Crime, Terrorism and Homeland Security, issued the following statement in reaction to today's decision:

"This is another case in a series of cases in which the Supreme Court has applied the Constitution to require reasonableness and fairness to juveniles in the adult criminal justice system. For too long now, we have seen a steady march away from working with children through the juvenile justice system that was created for them in recognition of their immaturity. Instead, the federal and state governments have been trying and sentencing juveniles in the adult criminal system where the harsh, often mandatory, penalties created to address the worst adult offenders are applied without considering the characteristics of the offender or the facts and circumstances of the particular case. This decision, instead, places juveniles back in the realm of juveniles, requiring individualized considerations rather than mindless, sound bite-based policies that mandate harshness to the exclusion of all reasonableness.

"For many years, I have observed that mandatory minimum sentencing policies disrupt rational sentencing systems, discriminate against minorities, waste taxpayer money and often violate common sense. A recent example of what's wrong with mandatory minimum sentencing can be seen in the case of Marissa Alexander, a mother of three and a graduate student, who was sentenced to a mandatory minimum sentence of 20 years for discharging a firearm to warn off an abusive husband. She would have been sentenced to less if she had shot him and was charged with manslaughter.

"While the case today has not ruled out the possibility of a minor being sentenced to life without parole, such a sentence would have to reflect the application of common sense considerations of the characteristics of the minor and the facts and circumstances of the particular case."

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